

ENTERED

October 23, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

LEONIDAS ARGUETA-PORTILLO

Petitioner

VS.

UNITED STATES OF AMERICA

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CIVIL ACTION NO. 2:19-CV-9

CRIMINAL ACTION NO. 2:18-CR-334-1

ORDER

United States Magistrate Judge Diana Song Quiroga issued a Report and Recommendation in accordance with 28 U.S.C. § 636(b)(3), recommending that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence (Dkt. No. 1) be **DENIED** and this action be **DISMISSED WITHOUT PREJUDICE** (Dkt. No. 3). Neither party filed objections to the Report and Recommendation.

Applying a plain-error standard of review to the proposed findings and recommendations, the Court hereby **ADOPTS** the Report and Recommendation as the findings and opinion of the Court. Accordingly, Petitioner's Motion to Vacate, Set Aside, or Correct Sentence (Dkt. No. 1) is **DENIED**, and this action is **DISMISSED WITHOUT PREJUDICE**.

It is so **ORDERED**.

SIGNED October 22, 2019.



Marina Garcia Marmolejo
United States District Judge